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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,802	06/29/2001	Roger Bredow	RSW920010099US1	8307

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EXAMINER

CHEN, PO WEI

ART UNIT	PAPER NUMBER
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2676

DATE MAILED: 01/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/896,802

Applicant(s)

BREDOW ET AL.

Examiner

Po-Wei (Dennis) Chen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on August 22, 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

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DETAILED ACTION

In response to an Amendment received on August 22, 2003. This action is non-final.

Claims 1-26 are pending in this application. Claims 1, 3, 14 and 16 are independent claims.

The present title of the invention is "Method and Computer Program Product for Using a Scrolling Computer Mouse to Select Pages of a Set of Linked Web Pages".

The Group Art Unit of the Examiner case is now 2676. Please use the proper Art Unit number to help us serve you better.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Smailagic et al. (US 6,567,079; refer to as Smailagic herein).

3. Regarding claim 1, Smailagic discloses a portable computer system comprising:

A method for browsing a set of linked web pages (lines 17-20 of abstract and lines 57-60 of column 8 and Fig. 9); detecting scrolling output; responsive to the scrolling output; determining a URL of a web page; and accessing the web page by a web browser (lines 37-56 of column 7, lines 57-67 of column 8 and lines 1-26 of column 9 and Fig. 1, 7 and 9; while claim recites scrolling output, the term is broad enough to include the user input using rotary switch to

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scroll to next or previous screen or web page which is being accessed through HTML hyperlink (URL) and displayed on the browser).

4. Regarding claim 14, the statements presented, above, with respect to claim 1 are incorporated herein. Also see lines 37-67 of column 7 of Smailagic.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 2 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smailagic et al. (US 6,567,079; refer to as Smailagic herein), as applied to claims 1 and 14 above, and further in view of Armstrong (US 6,198,473).

7. Regarding claim 2, Smailagic does not disclose scrolling output from scroll mouse. Armstrong discloses a computer mouse with enhance control buttons utilizing the device (lines 13-14 of column 6 and Fig. 1). It would have been obvious to one of ordinary skill in the art to utilize the teaching of Armstrong to provide a low cost, ergonomically correct, familiar and desirable finger depressible input device for accessing web page (lines 55-57 of column 5, Armstrong).

8. Regarding claim 15, the statements presented, above, with respect to claim 2 are incorporated herein. Also see lines 37-67 of column 7 of Smailagic.

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9. Claims 3-5, 8-13, 16-18 and 21-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smailagic et al. (US 6,567,079; refer to as Smailagic herein) and further in view of Armstrong (US 6,198,473).

10. Regarding claim 3, Smailagic discloses a portable computer system comprising:

A method for using a scroll device to browse a set of linked web pages (lines 17-20 of abstract, lines 57-60 of column 8 and lines 1-25 of column 9 and Fig. 1 and 9; device in Fig. 1 used to scroll to next or previous web pages); displaying a source page that is a member of a set of linked web pages; detecting scrolling output of a scroll device while the source page is displayed; determining a sense of direction of the scrolling output; responsive to the sense of direction, determining a URL associated with a destination page that is a member of the set of linked web pages; accessing the destination web page by a web browser (lines 37-56 of column 7, lines 57-67 of column 8 and lines 1-26 of column 9 and Fig. 1, 7 and 9; while claim recites scrolling output, the term is broad enough to include the user input using rotary switch to scroll to next or previous screen which is being accessed through HTML hyperlink (URL) and displayed on the browser. Also, while a screen page is being displayed, an user can access previous or next web page using HTML hyperlink (URL) to be displayed on the browser depending on the direction output by the rotary switch).

Smailagic does not disclose scroll device is a scroll mouse. Armstrong discloses a computer mouse with enhance control buttons utilizing the device (lines 13-14 of column 6 and Fig. 1). It would have been obvious to one of ordinary skill in the art to utilize the teaching of Armstrong to provide a low cost, ergonomically correct, familiar and desirable finger depressible input device for accessing web page (lines 55-57 of column 5, Armstrong).

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11. Regarding claim 4, Smailagic discloses a portable computer system comprising:

A scroll wheel (lines 22-25 of column 9 and Fig. 1; while claim recites wheel, the term is broad enough to include the rotary switch which can be rotate and functions as a wheel).

Smailagic does not disclose scroll device is a scroll mouse. Armstrong discloses a computer mouse with enhance control buttons utilizing the device (lines 13-14 of column 6 and Fig. 1). It would have been obvious to one of ordinary skill in the art to utilize the teaching of Armstrong to provide a low cost, ergonomically correct, familiar and desirable finger depressible input device for accessing web page (lines 55-57 of column 5, Armstrong).

12. Regarding claim 5, Smailagic discloses a portable computer system comprising:

The set of linked pages includes an on-line catalog (lines 17-20 of abstract and Fig. 9; while claim recites catalog, the term is broad enough to include the interactive electronic technical manuals disclosed by Smailagic).

13. Regarding claims 8-13, Smailagic discloses a portable computer system comprising:

The URL is associated with a next (forward) button of the source page (web browser) when the sense of direction is forward and the URL is associated with a previous (back) button of the source page (web browser) when the sense of direction is backward; the URL is the URL associated with a next (forward) button of the source page (web browser); the URL is the URL associated with a previous (back) button of the source page (web browser) (lines 37-67 of column 7, lines 11-67 of column 8 and lines 1-25 of column 9 and Fig. 1 and 7-9). While claim recites sense of direction is forward or backward, the terms are broad enough to include the rotating directions of clockwise and counterclockwise by the rotary switch.

It is noted that by rotating the rotary switch, it will access the next web page or previous web page using associated HTML hyperlinks (URLs), which correspond to the arrows on the source page. And while claim recites next (forward) and previous (back) buttons, they are just another name used for graphical objects to correspond next and previous web page functions of web browser. It is known in the art to program graphical objects such as arrows to trigger browser functions such as forward or back buttons. Furthermore, the system disclosed by Smailagic is integrated with browsers by Netscape or Microsoft. It would be cleared that the functions of the rotary switch is being mapped to either browser and by rotating the switch to go to next or previous page, which correspond to NEXT (FORWARD) and PREVIOUS (BACK) buttons in the browsers.

14. Regarding claims 16-18 and 21-26, the statements presented above, with respect to claims 3-5 and 8-13 are incorporated herein. Also see lines 37-67 of column 7 of Smailagic.

15. Claims 6 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smailagic et al. (US 6,567,079; refer to as Smailagic herein) and Armstrong (US 6,198,473) as applied to claims 3 and 16 above, and further in view of Barros (US 5,530,455).

16. Regarding claim 6, the combination of Smailagic and Armstrong does not disclose that the set of linked pages includes a search list provided by an Internet search engine. However, this is known in the art taught by Barros. Barros teaches a graphic-information flow method that "viewers must learn of and locate, usually via a search engine, and then must browse through to find one piece of information at a time" and "The user has undertaken a search... A list of applicable hotels with a retrieval bar then appeared in the key area" (line 67 of column 7, lines 1-2 of column 8 and lines 19-23 of column 17). It would have been obvious to one of ordinary

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skill in the art at the time of invention to utilize the teaching of Barros to provide a way to present data on a web page. Because both Smailagic and Armstrong discloses a device to navigate between linked web pages on a browser and can also be utilize on a page with search list provided by an Internet search engine disclosed by Barros to provide an improved way to navigate through those web pages.

17. Regarding claim 19, the statements presented above, with respect to claim 6 are incorporated herein. Also see lines 37-67 of column 7 of Smailagic.

18. Claims 7 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smailagic et al. (US 6,567,079; refer to as Smailagic herein) and Armstrong (US 6,198,473) as applied to claims 3 and 16 above, and further in view of Bates et al. (US 5,877,766; refer to as Bates herein).

19. Regarding claim 7, the combination of Smailagic and Armstrong does not disclose the set of linked pages is identified by a set of URLs held in web browser memory. Bates teaches an user interface for accessing a plurality of linked records that "many web browsers for example maintain a memory and/or hard disk cache of documents" (see lines 8-11 of column 28). It would have been obvious to one of ordinary skill in the art at the time of invention to utilize the teaching of Bates to significantly increase the performance of web browsing (see lines 16-20 of column 28, Bates).

20. Regarding claim 20, the statements presented, above, with respect to claim 7 are incorporated herein. Also see lines 37-67 of column 7 of Smailagic.

Response to Arguments

21. Applicant's arguments, see pages 2-5, filed August 22, 2003, with respect to the rejection(s) of claim(s) 1-26 under 35 U.S.C. 102(e)/103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Smailagic and Armstrong.

The Applicant argues the references do not disclose scrolling output to obtain web pages and to move between URL's associated with previous and/or next buttons of a web page. However, this is known in the art taught by Smailagic (lines 37-56 of column 7, lines 11-67 of column 8 and lines 1-26 of column 9 and Fig. 1 and 7-9). While claim recites scrolling output, the term is broad enough to include the user input using rotary switch to scroll to next or previous screen or web page which is being accessed through HTML hyperlink (URL) and displayed on the browser. It is also noted that by rotating the rotary switch, it will access the next web page or previous web page using associated HTML hyperlinks (URLs), which correspond to the arrows on the source page. And while claim recites next (forward) and previous (back) buttons, they are just another name used for graphical objects to correspond next and previous web page functions of web browser. It is known in the art to program graphical objects such as arrows to trigger browser functions such as forward or back buttons. Furthermore, the system disclosed by Smailagic is integrated with browsers by Netscape or Microsoft. It would be cleared that the functions of the rotary switch is being mapped to either browser and by rotating the switch to go to next or previous page, which correspond to NEXT (FORWARD) and PREVIOUS (BACK) buttons in the browsers.

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Conclusion

22. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rosin et al. (US 6,028,600).

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Po-Wei (Dennis) Chen whose telephone number is (703) 305-8365. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew C Bella can be reached on (703) 308-6829. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Po-Wei (Dennis) Chen
Examiner
Art Unit 2676

Po-Wei (Dennis) Chen
January 21, 2004



**Kee M. Tung
Primary Examiner**